

Appl. No. 09/847,794
Amdt. dated July 1, 2005
Reply to Office Action of April 27, 2005

Remarks

The present amendment responds to the Official Action dated April 27, 2005. The Official Action rejected claims 1-3, 5-8, 10-13, 15-16, and 18 under 35 U.S.C. §103(a) based on Berkson U.S. Patent No. 6,049,779 (Berkson). Claims 4, 9, 14, and 17 were rejected under 35 U.S.C. §103(a) based on Berkson in view of Green U.K. Patent Application No. GB 2,306,025A (Green). These grounds of rejection are addressed below following a brief discussion of the present invention to provide context.

Claims 1, 11, 12, 17, and 18 have been amended to be more clear and distinct. Support for the amendments to claims 1 and 11 can be found, for example, at page 5, line 14 of the present specification. In particular, claims 12, 17 and 18 have been amended to address typographical errors found while preparing this amendment. Claims 1-18 are presently pending.

The Present Invention

One aspect of the present invention is directed to a system for providing feedback to a cashier at a POS terminal. The system includes a POS terminal and a display for displaying information to a cashier operating the POS terminal. The display displays a performance goal screen at the start of a work session, indicating to the cashier a performance goal for the work session. The POS terminal measures the cashier's performance of tasks during the work session. One measured task, for example, is the number of items scanned per unit time. At the end of the work session, the display displays a performance report screen including the cashier's measured performance and the performance goal to provide performance feedback directly to the cashier.

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The Art Rejections

As addressed in greater detail below, Berkson and Green do not support the Official Action's reading of them and the rejections based thereupon should be reconsidered and withdrawn. Further, the Applicant does not acquiesce in the analysis of Berkson and Green made by the Official Action and respectfully traverses the Official Action's analysis underlying its rejections.

Claims 1-3, 5-8, 10-13, 15-16, and 18 were rejected under 35 U.S.C. §103(a) based on Berkson. Berkson addresses a system that provides positive incentives to a call center agent by allowing the call center agent to play a game each time an established performance parameter standard is met. Berkson, col. 2, lines 39-42. To this end, Berkson discloses a data collection system and a game participation system. The data collection system monitors a performance parameter of a telephone call handled by a call center agent. The game participation system compares a measure of the monitored performance parameter to an established performance parameter standard and allows the call center agent to participate in a game only if the performance measure meets or exceeds the established performance parameter standard. At the completion of the call by a call center agent, the system automatically generates measurements of length of time of the call and revenue generated, for example, and compares these performance measurements to established performance parameter standards such as a maximum call time of seven minutes and a minimum of \$25 in revenue. If both of these standards are accomplished,

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the call center agent is automatically allowed to participate in a game. Unlike the present invention, Berkson does not display a performance goal to a cashier in order for the cashier to have a target to work towards and to self-regulate his or her activities in order to achieve the target.

Unlike Berkson, claim 1 addresses a system for providing feedback to a cashier at a point of sale (POS) terminal. Claim 1, as presently amended, reads as follows:

1. A system for providing feedback to a cashier at a POS terminal, comprising:
a display for displaying information to a cashier operating the POS terminal, the display displaying a performance goal screen at the start of a work session to indicate to the cashier a performance goal for the work session; and
the POS terminal operating to measure the cashier's performance of tasks during the work session, the tasks comprising the number of items scanned per unit time, the display displaying at the end of the work session a performance report screen including the cashier's measured performance and the performance goal to provide performance feedback directly to the cashier. (emphasis added)

Berkson does not teach and does not suggest a display "displaying a performance goal screen at the start of a work session to indicate to the cashier a performance goal for the work session," as claimed in presently amended claim 1. Berkson's disclosure does not address displaying a performance goal at the beginning of a work session. Berkson merely rewards a call center agent by allowing him or her to play a game if the call center agent's performance achieves an established performance metric standard. Berkson, col. 6, lines 55-63. Furthermore, Berkson does not teach and does not suggest the display "displaying at the end of the work session a performance report screen including the cashier's measured performance and the performance goal to provide performance feedback directly to the cashier," as claimed in

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presently amended claim 1. Additionally, Berkson does not teach and does not suggest measuring “the number of items scanned per unit time,” as claimed in presently amended claim 1. See also presently amended claim 11.

As admitted by the Official Action, Berkson’s approach addresses a call center agent and evaluates specific call center agent performance metrics such as the number of calls an agent completes in an hour and the amount of time an agent works. Berkson, col. 6, lines 55-68. In contrast to Berkson, claim 1, as presently amended, recites “displaying at the end of the work session a performance report screen including the cashier’s measured performance and the performance goal.” Clearly, cashier’s measured performance of a work session involving typical tasks such as scan rates, the number of items scanned per minute, for example, are distinct from a call center agent’s measured performance.

Additionally, as claimed in claims 2 and 12, the performance goal is tailored to an individual cashier by using historical performance data for each individual cashier. Claim 2 recites “wherein the performance goal displayed to the cashier on the performance goal screen is set for each individual cashier using the POS terminal.” Claim 12 recites “setting a performance goal screen for each individual cashier using the POS terminal.” Berkson merely applies a standard performance metric when evaluating the performance of a call center agent. Berkson, col. 9, 35-40. Berkson provides no disclosure which allows tailoring of an individual goal to an individual cashier.

As claimed in claims 3 and 13, the performance goal for each individual cashier is determined using historical performance data for each individual cashier. As discussed above,

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Berkson provides no disclosure which allows tailoring of an individual goal to an individual cashier. Thus, Berkson does not have the need to disclose basing an individual goal on historical performance data for an individual cashier.

Claims 4, 9, 14, and 17 were rejected under 35 U.S.C. §103(a) based on Berkson in view of Green. Green fails to cure the deficiencies of Berkson. Since claims 4, 9 and 14, 17 depend from and contain all the limitations of claims 1 and 11 as presently amended, claims 4, 9 and 14, 17 distinguish from the references in the same manner as claims 1 and 11, respectively. Furthermore, Green does not teach and does not suggest "wherein the performance goal screen and the performance report screen are integrated into the operation of the general POS application," as claimed in claims 4 and 14.

Green addresses a display system for use in a point of sale (POS) station clerk performance evaluation. To this end, Green's approach includes a plurality of POS stations networked to a parent computer. Green, Fig. 1. The parent computer directs the POS stations to transmit clerk identification and transaction information. Green, page 6, lines 4-7. An operator of the parent computer uses the parent computer to categorize POS clerks into groups in accordance with a categorizing criteria such as by years of experience. Green, page 3, lines 6-13 and Fig. 2. The operator also selects visible display characteristics specific to each category such as assigning the color green to clerks with less than 5 years of experience. Green, page 2, lines 16-17. During operation, the parent computer displays transactional information for the POS clerks according to their assigned display characteristics. Green, page 8, lines 13-18. Unlike the present invention, the parent computer is used typically by a manager to monitor the performance

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of the clerks operating the POS stations and the clerks are not provided with feedback for their performance by Green's approach.

Green and Berkson, taken separately or in combination, do not teach and do not suggest "displaying a performance goal screen at the start of a work session to indicate to the cashier a performance goal for the work session," as claimed by presently amended claim 1. Green and Berkson, taken separately or in combination, do not teach and do not suggest "displaying at the end of the work session a performance report screen including the cashier's measured performance and the performance goal to provide performance feedback directly to the cashier," as claimed by presently amended claim 1.

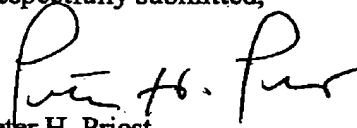
The Official Action states that "as per applicant's own admission it is old and well known to provide feedback to a cashier at a point-of-sale terminal (retail environment) and that providing performance targets/goals prior, during and after a session is a good motivator." Applicant respectfully wants to clarify what and what was not admitted. In the description of the prior art section, the present specification recognizes that one way to motivate employees to perform their tasks is to provide them with ongoing feedback as to their level of performance. That same section also recognizes that today's POS terminal do not provide immediate feedback on the cashier's performance. However, the claimed invention which provides a system and method for providing feedback to a cashier as presently claimed is not well known.

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Conclusion

All of the presently pending claims, as amended, appearing to define over the applied references, withdrawal of the present rejection and prompt allowance are requested.

Respectfully submitted,



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